

STATE OF SOUTH DAKOTA CLASS SPECIFICATION

Class Title: Nursing Program Specialist

Class Code: 50516

A. Purpose:

Manages regulatory functions, nursing education, and other related programs; provides support and leadership to licensees and the public; interprets laws, rules, and Board actions; investigates charges of misconduct made against licensees; and recommends and monitors disciplinary actions imposed by the Board of Nursing to ensure the goals and objectives of the Board are carried out.

B. Distinguishing Feature:

Nursing Program Specialists are responsible for maintaining, overseeing, investigating, regulating, and approving practices, programs, licensure, educational programs, and disciplinary cases for licensed nursing practitioners.

C. Functions:

(These are examples only; any one position may not include all of the listed examples nor do the listed examples include all functions which may be found in positions of this class.)

1. Manages the administration of the nursing licensing examinations to ensure compliance with administration requirements of the test.
 - a. Determines candidate eligibility.
 - b. Provides consultation and advice to applicants and agencies regarding all aspects of licensure by examination.
 - c. Implements policies for the licensing examinations and modifications to the examination for eligible candidates.
2. Monitors and investigates practice-related matters and issues to determine if program changes are needed.
 - a. Interprets laws, rules, and Board actions regarding the legal limits of basic and advanced nursing practices.
 - b. Conducts research and develops position papers, advisory opinions, or Declaratory Rulings for adoption by the Board of Nursing.
 - c. Organizes and coordinates Board initiated task forces.
 - d. Provides leadership in the development, implementation, and evaluation of new programs.
3. Manages aspects related to the approval of RN and LPN Nursing Education programs in the state to ensure all programs meet standards set within law and candidates are eligible for licensure and are able to progress in the program.
 - a. Provides leadership for Board-appointed survey teams for on-site reviews of nursing education programs.
 - b. Evaluates pre-survey reports, the on-site program evaluations, and prepares recommendations to the Board for action.
 - c. Provides consultation to nursing education programs, nursing students, licensees, employers, and agencies/departments regarding the regulation of nursing education programs.
 - d. Analyzes annual reports on nursing education programs.
 - e. Investigates claims of misconduct regarding nursing education programs.

- f. Approves all nursing education programs including refresher and expanded role courses for compliance with administrative rules.
 - g. Analyzes and interprets statutes and rules which impact nursing education.
 - h. Responds to inquiries related to nursing education issues.
 - i. Initiates and implements rules and regulations related to nursing education issues.
4. Reviews and analyzes disciplinary complaints to determine if they are within the Board's jurisdiction to investigate and are suitable for possible Board action.
 - a. Organizes and conducts investigations into claims of nursing misconduct.
 - i. Interviews complainant, employers, witnesses, or other involved parties.
 - ii. Obtains necessary personnel, criminal, and/or medical records pertinent to the investigation.
 - b. Interacts with criminal authorities/investigators to provide and receive information about licensees with pending or finalized criminal actions.
 - c. Conducts informal meetings with licensees prior to formal proceedings.
 - d. Composes investigative reports summarizing findings.
 - e. Negotiates potential informal settlements and recommendations with licensees in collaboration with the Board's legal counsel.
 - f. Prepares, with legal counsel, legal documents necessary for the resolution of disciplinary matters.
 - g. Assists legal counsel in preparing for disciplinary hearings.
 - i. Obtains expert and fact witnesses.
 - ii. Prepares depositions.
 - h. Monitors licensees for compliance with Board orders and maintains regular contact with licensees on probation.
 - i. Reports all disciplinary actions taken by the Board to the appropriate agencies.
 - j. Continually evaluates the disciplinary process.
 - k. Counsels licensees and employers regarding possible referrals to the Health Professionals Assistance Program as an alternative to discipline.
 5. Manages the Nurse Aide Registry and approves Nurse Aide training programs to ensure the protection of nursing home residents, assure the quality of care, and ensure the state remains in compliance with federal regulations that affect Medicare funding.
 - a. Reviews and approves Nurse Aide training programs.
 - b. Consults with applicable agencies.
 - c. Develops procedures for the implementation of the approval process.
 - d. Participates in the rule making process to implement applicable statutes.
 - e. Maintains contacts with other agencies involved with the Nurse Aide Registry.
 6. Responds to issues affecting Advanced Practice Nursing to ensure applicants meet Board requirements to practice.
 - a. Serves as a resource to nurse practitioners/midwives regarding requirements for controlled substances.
 - b. Counsels and advises potential applicants for licensure in an advanced nursing role regarding requirements for initial and continue licensure.
 - c. Reviews and approves applications for initial licensure, license renewal, and temporary permits for advanced practice nurses.
 - i. Reviews and approves nurse practitioner/midwife practice agreements.
 - ii. Refers Board of Nursing approved applications and practice agreements to the Medical Board for approval.
 - d. Reviews and approves advanced practice nurse applications for reinstatement or reactivation.

- e. Communicates denials of licensure and denials of practice agreements to applicants/licensees.
 - f. Responds to inquiries and provides information concerning state and federal reimbursement laws for advanced practice nurses.
 - g. Prepares the agenda and supportive materials for the annual joint meeting between the Nursing and Medical Boards.
 - h. Works with the Medical Board and its staff in reviewing the laws, rules, and policies concerning the regulation of nurse practitioners/midwives.
 - i. Develops and maintains licensure databases for advanced practice nurses.
 - j. Proposes revisions to the licensure applications and instructions as needed.
7. Manages the Nursing Education Loan Assistance program to promote opportunities and provide incentives for students to enter the nursing profession.
 - a. Develops policies and procedures for the implementation, yearly review of applicants for awards, presentation of eligible applicants to the Board, amount of funds to be dispersed, and a plan for the equitable distribution of funds to eligible candidates.
 - b. Reviews delinquent accounts.
 - c. Consults with individuals and facilities regarding the assistance program.
 8. Reviews and approves applications for nurse licensure to determine if applicants are eligible for licensing.
 - a. Counsels potential applicants regarding license requirements.
 - b. Responds to inquiries regarding potential applicants and renewal applications with special circumstances or unusual conditions which may impact their ability to practice nursing safely.
 - c. Revises applications.
 - d. Investigates and prepares recommendations to the Board regarding applicants for licensure.
 - e. Denies applications for licensure to those owing child support.
 - f. Advises out-of-state licensees and employers on practices requiring state nursing licensure and those exempt from licensing requirements.
 - g. Reviews and approves non-traditional nursing employment or volunteer hours in nursing to ensure consistency with re-entry standards.
 9. Participates in the administrative functions of the office to ensure functions necessary to carry out the Board's mission are completed.
 - a. Participates in the development of the annual budget and reviews monthly financial reports.
 - b. Participates in the strategic planning process.
 - c. Functions as a spokesperson for the Board at state and national meetings and conferences and with the media.
 - d. Reviews applications for initial registration and renewals for Professional Nursing Corporations.
 - e. Participates in the drafting of proposed rules.
 - f. Analyzes actual and proposed state and federal legislation preparing reports and recommendations regarding their impact and initiates responses and actions as needed.
 10. Performs other work as assigned.

D. Reporting Relationships:

Reports to the Executive Secretary of the Board of Nursing. Provides work direction to support staff.

E. Challenges and Problems:

Challenged to keep abreast of state and national issues and trends that impact nursing and other health care professionals and delivery systems. This is difficult because of the need to maintain expertise in regulation and clinical nursing practices and education in order to establish and maintain credibility and integrity with nursing licensees and the public.

Typical problems include ensuring that laws, rules, and policies exist which provide for the delivery of safe and effective care by licensed nurses and unlicensed nurse assistants, providing complete and accurate information about nursing practices across many specialties and in several different settings where no precedent has been set by prior actions of the Board, determining eligibility for candidates who are requesting equivalency determinations, providing services to foreign educated candidates, keeping abreast of changes implemented by the federal government, processing complaints against nursing practitioners, ensuring the Board's administrative proceedings do not interfere with criminal procedures or prosecution, working with the education requirements as they apply to several different types of nursing degrees being offered, staying current with issues related to nursing education on both the state and national level, evaluating nursing education programs in institutions of higher learning, dealing with cross jurisdictional issues, working with multiple agencies that have some form of regulatory authority for unlicensed personnel working in long term care facilities, following lending procedures with the loan assistance program, collecting delinquent loan accounts, determining loan cancellation amounts, reviewing and approving applicants for initial licensure or renewals who have histories of criminal convictions or are pending disciplinary action in another state, determining with applicants/licensees are to be investigated for possible disciplinary action, and managing available resources to provide comprehensive services to licensees and the public.

F. Decision-making Authority:

Decisions made include determining eligibility for licensing examinations; whether current policies or opinions of the Board are relevant or a situation requires new Board action; actions related to the implementation, coordination, and evaluation of Board task forces; whether an inquiry falls within the Nursing Board's jurisdiction or with other state agencies; approval of nursing education programs; whether to open a disciplinary investigation or prepare a case for dismissal by the Board; amount of evidence needed and what investigative methods to employ to obtain legal evidence; recommended disciplinary actions; approval of facility and non-facility based nurse aide training programs; whether to waive training programs for individuals with equivalent education; accepting the qualifications of primary instructors for nurse aide training programs; approval of nurse practitioner/midwife applications for initial licensure, renewal, and practice agreements; which delinquent assistance loan accounts to turn over to a collection agency; which candidates are eligible for an assistance loan; whether a candidate is eligible for a loan deferment in accordance with the terms of the promissory note; approval of licensure applications; and prioritizing activities identified in the Nursing Board's strategic plan.

Decisions referred include issues which require formal Board review, position statements, advisory opinions, policies, formal approval of agreements, final decisions on disciplinary cases and actions, issues which require formal review by the joint Boards, substantive changes to the licensure application process, approval of contracts, final approval of annual assistance loan awards, the final budget, licensure or endorsement of licensure for applicants who have a history of felony convictions or have a license in another state and are under probation, suspension, or revocation in that state.

G. Contact with Others:

Daily contact with current nursing licensees, potential applicants, and nursing employers to give and receive information; daily contact with the Board's legal counsel to discuss legal or disciplinary matters impacting the Board; weekly contact with other governmental agencies to discuss licensure, scope of practice, disciplinary, and cross-agency issues; weekly contact with the Health Professional Assistance Program to discuss referrals; and monthly and annual contact with nursing educators and nursing education programs to respond to questions and provide direction.

H. Working Conditions:

Works in a typical office environment.

I. Knowledge, Skills and Abilities:

Knowledge of:

- current and emerging nursing and health care practices, standards, and issues;
- aspects of nursing practices and education;
- applicable state and federal laws relating to nursing practices and education;
- laws and rules of other state agencies with cross jurisdictional authority related to nursing practices;
- investigative techniques;

Ability to:

- deal tactfully with others;
- analyze nursing practice issues and claims of misconduct;
- prioritize and organize tasks;
- conduct disciplinary investigations;
- maintain confidentiality;
- deal with conflict;
- use a computer;
- interpret and apply laws and rules;
- communicate information clearly and concisely.

J. Licensure and Certification:

Must be licensed or eligible to be licensed as a registered nurse in South Dakota.